IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JULY
TWO THOUSAND AND SIX

PRESENT
THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.15423 of 2006

Between:

Eaga Ravi.

..... PETITIONER

AND

1.The District Collector,
Nellore District, Nellore, and 2 others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.15423 of 2006

ORDER:

Heard learned Counsel for the parties.

This Writ Petition is filed seeking a Writ of Mandamus declaring the action of the respondent No.3 in rejecting the nomination of the petitioner on the pretext that petitioner has house tax and water

tap connection dues and the consequent inaction of the 1st and 2nd respondents in not disposing of the appeal preferred against thereon seeking to declare his nomination as valid one, as being illegal, arbitrary and is in violation of mandatory prescriptions as contained in A.P.Panchayat Raj Act besides against to principles of natural justice and consequently direct the respondents to declare the nomination of the petitioner filed in respect of Sarpanch of Varigonda Gram Panchayat as valid one and permit the petitioner to contest in the ensuing Gram Panchayat Elections.

Petitioner filed his nomination for the post of Sarpanch of Varigonda Gram Panchayat. His grievance is that his nomination was rejected by the third respondent on the ground that he has house tax and water tap connection dues.

The learned Counsel for the petitioner would submit that the petitioner is not having a house at all and there is no question of rejecting his nomination on the ground of house tax and water tap connection dues. Even otherwise, the learned Counsel would contend that, no notice had been issued to the petitioner in relation to the demand of house tax or

water tap connection dues.

Prima facie, the rejection appears to be arbitrary. But however, in as much as the petitioner is having an efficacious alternative remedy by way of election petition, liberty is given to him to approach the appropriate Election Tribunal.

With the above observation, the Writ Petition is disposed of. No order as to costs.

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31st July, 2006

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